



***Minutes from the Electronic Recording Council of Wisconsin Meeting
January 14, 2010 Conference call at 2 p.m. Final***

Attending

Craig Haskins – Knight-Barry Title, Inc.
Marvel Lemke – Taylor County Register of Deeds
Hal Karas – Whyte Hirschboeck Dudek
Cathy Williquette – Brown County Register of Deeds
Steve Hansen - Associated Banks
John LaFave – Milwaukee County Register of Deeds

Staff:

Amy Moran – Representing Department of Administration

Excused:

Cindy Wisinski – Portage County Register of Deeds
Jim Pahl-Washa-Representing Department of Administration

Guests:

Don Sime, Representing Department of Administration Plat Review
Rod Key, Representing Department of Transportation
Drew Kottke, Representing Department of Transportation
Frank Thousand, Executive Director, Wisconsin Society of Land Surveyors

1. Call to order.

The conference call meeting was called to order at 2:05 p.m. by Chair Marvel Lemke.

2. Recognition of Public Attendees

Indicated above.

3. Approve Minutes from November 4, 2009

Motion by Cathy/seconded by Steve to approve the November 4,, 2009 minutes as presented. No objections, motion passed.

4. Announcements that may relate to electronic recording

Amy reported the electronic signature rule – Admin 13 will not be going forward. She will be handing this responsibility to Mark Saunders, DOA Legal Counsel and Donna Sorenson.

5. Discuss status of transition plan for DOA to provide ERCWIS support with Ron Hermes, Administrator, Division of Enterprise Operations, Department of Administration (see Exhibit A)

Ron Hermes reports the DOA will provide support to the council and will continue to provide training for the purposes of keeping the public meetings going. An attorney from DOA will be assigned to the WERC eventually. Some things Amy has spoiled us with are becoming difficult to maintain with the downturn in the economy/budget of the DOA. At this time the DOA does not have a replacement for Amy. They'll resume thinking about us in February. Marvel questioned by looking at the transition plan (attached) prepared by Amy and listening to Ron's comments, it appeared items one through three would be covered, however, she indicated a concern about items four through six not being covered. Ron discussed the website maintenance and the concern that the DOA may not be maintaining the ERCWIS website. Cathy inquired as to whether she can access and maintain the WERC site hosted by DOA. DOA

says no. Amy recommends moving the site to somewhere else. Discussion continues about where to move/maintain the website. Craig recommends moving it to a Google and eliminating the tough part of website maintenance (i.e., the online database of submitters). After much discussion, Ron will get back to us in February to determine what will happen with old website and whether he'll be able to have someone maintain the existing site after all. The Council expressed its thanks to Amy for all the things she has done for our group.

6. eRecording of Plats

- a. Chapter 236 plats
 - i. Update on modifications to Chapter 236 (Frank Thousand)
 - a. Frank Thousand reports that the land surveyor society has discussed this issue and their organization would like to consider the plan that was copied to the WERC previously. The organization is open to ideas and suggestions.
 - b. Hal suggested the Wisconsin Land Title Association and the Real Property section of the Wisconsin State Bar take a look at the proposed changes.
 - c. Frank says that after this idea was written and circulated in 2007, no opposition was made.
 - d. Don Sime from "Plat Review" has no problem with the proposed changes either.
- b. Chapter 84 TPP Plats
 - i. Rod Key indicated he felt the statutes currently support for the electronic recording of plats. Amy questioned the security of the stamp/seal on the document. Marvel questioned what method of delivery was anticipated. Rod indicated ideally email in pdf format. Amy reminded Council members of the AG opinion received earlier from cautioning the Council of a hesitance to accept documents electronically that involve the transfer of property rights, reflects a concern about the security offered by electronic recording. She indicated perhaps since the adoption of Admin Rule 70, the AG may have a different opinion now. Drew offered to contact DOT Legal Counsel, Mike Kernats and report back to the Council at its February meeting.

7. Discussion and action on trusted submitter applications

Amy indicated two applications had been received as follows: TPS Settlement and Gonzalez, Saggio Law Firm. Motion by Hal, second by Cathy to approve applications pending favorable recommendations. Motion carried.

8. Return address on electronic document

This item was carried forward from previous agenda. A follow-up reminder to remind document "owner" that the paper document doesn't get returned by the ROD to the "owner" but that it's returned electronically to the submitter.

9. Agenda items for next meeting, time and location

The next regular monthly meeting is scheduled for February 10, 2010 at 2:00 p.m. and will be a conference call. Additional agenda items, besides the typical items addressed will be as follows:

- Update on Transition Plan with DOA (Ron Hermes)
- Update on stamp/signature opinion from DOT legal counsel (Drew Kottke)
- DOR Web Service of County and State real estate transfer return data (Jim Pahl/Washa)
- Report on PRIA's version 3 eRecording Schema (Mark Ladd)

10. Adjourn

Respectfully submitted,

Craig Haskins, ERCWIS member